

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JONATHAN FRIED, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS SIMILARLY
SITUATED,

Plaintiff,

v.

BEAUTY FX SPA INC D/B/A BEAUTYFIX
MEDSPA,

Defendant.

24-CV-6040 (DEH)

ORDER

DALE E. HO, United States District Judge:

On **October 23, 2024**, Plaintiff filed a motion for a default judgment under Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b). *See* ECF No. 21.

It is hereby ORDERED that Defendant shall file any opposition to the motion for default judgment by **November 13, 2024**. Defendant is cautioned that corporate entities may appear in federal court only through licensed counsel, *see Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007), and where such an entity “repeatedly fails to appear by counsel, a default judgment may be entered against it,” *Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006) (internal quotation marks omitted). If any such opposition is filed, Plaintiff shall file any reply by **November 20, 2024**.

It is further ORDERED that the parties shall appear at a conference on **November 27, 2024 at 10:00 A.M. EST** regarding Plaintiff’s motion for a default judgment. Unless and until the Court orders otherwise, the conference will be held remotely by telephone in accordance with Paragraph 3.B of the Court’s Individual Rules and Practices in Civil Cases. The parties should join the conference by calling the Court’s dedicated conference line at (646) 453-4442 and using access code 677 156 641, followed by the pound (#) key.

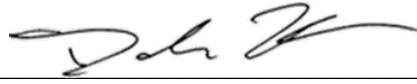
In the event that Defendant appears or opposes the motion for default judgment prior to that date, the parties shall prepare to treat that conference as the initial pretrial conference. That is, if Defendant appears, opposes the motion, or seeks a *nunc pro tunc* extension of time to respond to the complaint, then the parties — including Defendant — shall follow the pre-conference procedures specified in the Court’s Order of August 12, 2024 including by submitting a joint letter addressing certain topics and a proposed case management plan no later than the Thursday prior to the conference. *See* ECF No. 5.

It is further ORDERED that Plaintiff serve Defendant via overnight courier with (1) a copy of the motion for default judgment and all supporting papers; and (2) a copy of this Order by **within three business days of the filing of each document**. In each case, within **two**

business days of service, Plaintiff must file proof of such service on the docket.

SO ORDERED.

Dated: October 25, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is written above a horizontal line.

DALE E. HO
United States District Judge